## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

§

§

§

888888

Application No.:

09/557,068 April 21, 2000

Filed:

Sai V. Allavarpu Xuesi Dong Linda C. Lee

Title:

IDL Event and Request

Formatting for CORBA

Gateway

Examiner:

Hu, Jinsong

Group/Art Unit:

2154

Atty. Dkt. No:

5181-61100

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

Robert C. Kowert

Name of Registered Representative

June 10, 2005

Date

## RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF **MAILED MAY 17, 2005**

Mail Stop Appeal Brief - Patents

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper is submitted in response to the Notice of Non-Compliant Appeal Brief mailed May 17, 2005. The Notice indicates that Appellants' Appeal Brief filed on February 22, 2005 is defective for failure to comply with one or more provisions of 37 CFR 41.37. Specifically, the Notice states that Appellants' Appeal Brief failed to include a "Grouping of the Claims."

In response, Appellants note that the requirement for a "Grouping of the Claims" was removed from the Rules on September 13, 2004. Specifically, old Rule 37 CFR 1.192 was deleted and the new Rule governing Appeal Briefs (37 CFR 41.37) does not require a Grouping of the Claims. Therefore, the Notice of Non-Compliant Appeal Brief seems to have been sent in error. Appellants respectfully request consideration of the Appeal Brief filed on February 22, 2005.

1

## **CONCLUSION**

For the reasons stated above, Appellants assert that the Appeal Brief filed on February 22, 2005 is in complete compliance with 37 CFR 41.37 and that the Notice of Non-Compliant Appeal Brief was sent in error. Appellants respectfully request consideration of the Appeal Brief filed on February 22, 2005.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-61100/RCK.

	<u>e</u>
Return Rec	eipt Postcard
Petition for	Extension of Time
☐ Notice of C	Change of Address
Fee Author	rization Form authorizing a deposit account debit in the amount of \$
for fees (	).
Other:	

Also enclosed herewith are the following items:

Respectfully submitted,

Robert C. Kowert Reg. No. 39,255

ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.

P.O. Box 398

Austin, TX 78767-0398 Phone: (512) 853-8850

Date: June 10, 2005